

NOTICE OF
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

1. Agency: Insurance - Administration
Room no.: 3110
Building: STATE OFFICE BLDG
Street address 1: 450 N MAIN ST
Street address 2:
City, state, zip: SALT LAKE CITY UT 84114-1201
Mailing address 1: PO BOX 146901
Mailing address 2:
City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name: Phone: Fax: E-mail:

Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov
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(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 34169 Date filed: 10/25/2010 03:50 PM
State Admin Rule Filing Key: 150340
Utah Admin. Code ref. (R no.): R 590 - 167 - 4
Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
Establishment of Classes of Business.

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:
This change is being made to correct an oversight and bring the compliance date in this section into alignment with the compliance date at the end of the rule.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.
No

Rule Summary

6. Summary of the rule or change:

Subsection R590-167-4(3)(f) lists the compliance date to establish a new class of business approved by the

commissioner as January 1, 2010. This was overlooked and was intended to be January 1, 2011 in the future rather than last January.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

This change will have no fiscal impact on the department the date of this change was meant to be January 1, 2011.

B) Local government:

Affected: No

This change will have no fiscal impact on local governments since the rule deals solely with the relationship between the department and its licensees.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

The rule regulates insurers, that are large employers, who sell health benefit plans to individual and small employers. The change requires insurers to receive approval from the commissioner for the establishment of additional classes of business after January 1, 2011, not 2010. It was meant to apply after the rule is put into effect and the changes becomes enforceable on January 1, 2011. There will be no fiscal impact as a result of this change.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

The rule regulates insurers, that are large employers, who sell health benefit plans to individual and small employers. The change requires insurers to receive approval from the commissioner for the establishment of additional classes of business after January 1, 2011, not 2010. It was meant to apply after the rule is put into effect and the changes becomes enforceable on January 1, 2011. There will be no fiscal impact as a result of this change.

Compliance Cost Information

8. Compliance costs for affected persons:

The rule regulates insurers, that are large employers, who sell health benefit plans to individual and small employers. The change requires insurers to receive approval from the commissioner for the establishment of additional classes of business after January 1, 2011, not 2010. It was meant to apply after the rule is put into effect and the changes becomes enforceable on January 1, 2011. There will be no fiscal impact as a result of this change.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This rule will have no fiscal impact on insurers who sell health benefit plans or small employer groups who purchase them for their employees.

B) Name and title of department head commenting on the fiscal impacts:

Neal T. Gooch, Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :
31A-30-106

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials

incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):

Publisher:

Date Issued:

Issue, or version:

ISBN Number:

ISSN Number:

Cost of Incorporated Reference:

Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

12/15/2010

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

12/22/2010

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
- health insurance

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Jilene Whitby Information
Specialist

Date (mm/dd/yyyy): 10/25/2010